



JUDICIAL COUNCIL OF CALIFORNIA MEETINGS

Open to the Public Unless Indicated as Closed (Cal. Rules of Court, rule 10.6(a))

Judicial Council of California • Sacramento Offices

2860 Gateway Oaks Drive, Suite 400 • Sacramento, California 95833

Thursday, January 22, 2015 • 8:30 a.m.–1:30 p.m.

Meeting materials will be hyperlinked to agenda titles as soon as possible after receipt by Judicial Council Support. For recent postings of hyperlinked reports, please check the agenda at <http://www.courts.ca.gov/28392.htm>.

THURSDAY, JANUARY 22, 2015, AGENDA

OPEN SESSION (RULE 10.6(a))—MEETING AGENDA

- 8:30–8:40 a.m.** **Swearing in of New Council Member**
The Chief Justice will administer the oath of office to a new council member.
- 8:40–8:45 a.m.** **[Approval of Minutes](#)**
Approve minutes of the December 11–12, 2014, Judicial Council meeting.
- 8:45–8:55 a.m.** **Chief Justice’s Report**
Chief Justice Tani G. Cantil-Sakauye will report.
- 8:55–9:05 a.m.** **[Administrative Director’s Report](#)**
Mr. Martin Hoshino, Administrative Director, will report.
- 9:05–9:45 a.m.** **[Judicial Council Committee Presentations](#)**
Executive and Planning Committee
 Hon. Douglas P. Miller, Chair
Policy Coordination and Liaison Committee
 Hon. Kenneth K. So, Chair
Rules and Projects Committee
 Hon. Harry E. Hull, Jr., Chair

NOTE: Time is estimated. Actual start and end times may vary.

Technology Committee
Hon. James E. Herman, Chair

9:45–10:15 a.m. Judicial Council Members’ Liaison Reports
Judicial Council members will report on their liaison work.

10:15–10:45 a.m. Public Comment
The Judicial Council welcomes public comment on general matters of judicial administration and on specific agenda items, as it can enhance the council’s understanding of the issues coming before it.

Please see our [public comment procedures](#).

- 1) Submit advance requests to speak by **4:00 p.m., Monday, January 19, 2015**.
- 2) Submit written comments for this meeting by **1:00 p.m. on Tuesday, January 20, 2015**.

Contact information for advance requests to speak, written comments, and questions:

E-mail: judicialcouncil@jud.ca.gov

Postal mail or delivery in person:

Judicial Council of California
455 Golden Gate Avenue
San Francisco, California 94102-3688
Attention: Cliff Alumno

Break 10:45–11:00 a.m. (approx.)

CONSENT AGENDA (ITEMS A–G)

A council member who wishes to request that any item be moved from the Consent Agenda to the Discussion Agenda is asked to please notify Nancy Carlisle at 415-865-7614 at least 48 hours before the meeting.

Item A [California State Auditor Report: Five Superior Courts Did Not Consistently Follow Judicial Branch Contracting Practices](#) (Action Required)

In November 2014 the California State Auditor released a report, *Judicial Branch Procurement: Five Superior Courts Did Not Consistently Follow Judicial Branch Contracting Practices*, that is required to be performed by Public Contract Code Section

19210 to assess the implementation of the Judicial Branch Contract Law biennially for five judicial branch entities. The California State Auditor concluded that the five superior courts in the audit could improve their compliance with the *Judicial Branch Contracting Manual*. The California State Auditor found instances of noncompliance with payment approval levels, lack of justifying using a noncompetitive procurement process, and not having procedures to implement the State's Disabled Veteran Business Enterprise program or the small business preference for competitive information technology procurements.

Hon. Richard D. Huffman, Chair, Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch

Mr. John A. Judnick, Audit Services

Item B **[Child Support: Certification of Support Calculation Computer Software Programs \(Action Required\)](#)**

The Family and Juvenile Law Advisory Committee recommends certification of two support calculation computer software programs, FamilySoft SupportCalc and Family Law Software. The request for Judicial Council certification was submitted by the software developers as provided by California Rules of Court, rule 5.275.

Hon. Jerilyn L. Borack and Hon. Mark A. Juhas, Cochairs, Family and Juvenile Law Advisory Committee

Mr. Michael L. Wright, Center for Families, Children & the Courts

Item C **[Judicial Branch Administration: Audit Report for Judicial Council Acceptance \(Action Required\)](#)**

The Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch and Judicial Council staff recommend that the Judicial Council accept the audit report entitled *Audit of the Superior Court of California, County of Lake*. This acceptance is consistent with the policy approved by the Judicial Council on August 27, 2010, which specifies Judicial Council acceptance of audit reports as the last step to finalization of the reports before their placement on the California Courts public website to facilitate public access. Acceptance and publication of these reports promote transparent accountability and provide the courts with information to minimize future financial, compliance, and operational risk.

Hon. Richard Huffman, Chair, Advisory Committee on Financial Accountability and Efficiency for the Judicial Branch

Mr. John A. Judnick, Audit Services

Item D **[Trial Court Allocation: Final Reduction Related to Statutory 1% Cap on 2013–2014 Fund Balance Carry-Over \(Action Required\)](#)**

The Trial Court Budget Advisory Committee recommends the Judicial Council approve the final reduction allocation of \$1.7 million related to fund balance in fiscal year (FY) 2013–2014 before February 2015 as required by Government Code section 68502.5(c)(2)(A).

Hon. Laurie M. Earl, Chair, Trial Court Budget Advisory Committee

Mr. Steven Chang, Finance

Item E **Judicial Council Report to the Legislature: Trial Court Revenue, Expenditure, and Fund Balance Constraints for Fiscal Year 2013–2014 (Action Required)**

Judicial Council staff recommends approving the *Report of Trial Court Revenue, Expenditure, and Fund Balance Constraints for Fiscal Year 2013–2014*, as required by Government Code sections 68502.5(b) and 77202.5(b), to be sent to the chairs of the Senate Committee on Budget and Fiscal Review, the Senate Committee on Judiciary, and the Assembly Committees on Budget and Judiciary.

Mr. Zlatko Theodorovic and Mr. Patrick Ballard, Finance

Item F **Judicial Council Report to the Legislature: Fee Revenue and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2013–2014 (Action Required)**

Judicial Council staff recommends that the Judicial Council approve the *Report of Court Reporter Fees Collected and Expenditures for Court Reporter Services in Superior Court Civil Proceedings for Fiscal Year 2013–2014*. Government Code section 68086(f) requires that the Judicial Council report to the Joint Legislative Budget Committee, on an annual basis, information concerning court reporter fees collected under Government Code sections 68086(a)(1), 68086(a)(2) and 68086.1 and expenditures on court reporter services in superior court civil proceedings statewide.

Mr. Zlatko Theodorovic and Mr. Colin Simpson, Finance

Item G **Judicial Council Report to the Legislature: State Trial Court Improvement and Modernization Fund Expenditures for Fiscal Year 2013–2014 (Action Required)**

The Judicial Council staff recommends that the Judicial Council approve the *Annual Report of State Trial Court Improvement and Modernization Fund Expenditures for Fiscal Year 2013–2014*, as required by Government Code section 77209(i), to be sent to the Legislature.

Mr. Zlatko Theodorovic and Mr. Steven Chang, Finance

DISCUSSION AGENDA (ITEMS H–L)

Item H **11:00–11:15 a.m.**

Governor’s Proposed Budget for 2015–2016 (No Action Required. There are no materials for this item.)

Judicial Council staff will provide an informational update on the Governor’s proposed budget, released on January 9.

Public Comment and Presentation (5 minutes) • Discussion (10 minutes)

Speakers: Mr. Martin Hoshino, Administrative Director
 Mr. Curt Soderlund, Chief Administrative Officer
 Mr. Cory Jaspersen, Office of Governmental Affairs
 Mr. Zlatko Theodorovic, Finance

Item I **11:15–11:40 a.m.**

Budget: Fiscal Year 2015–2016 Budget Request for the Trial Courts (Action Required)

The Trial Court Budget Advisory Committee recommends that the Judicial Council approve a proposed FY 2015–2016 budget request for court-provided security and request a growth percentage increase starting in 2016–2017. Submittal of budget change proposals (BCPs) is the standard process for proposing funding adjustments in the State Budget. Spring BCPs are to be submitted to the state Department of Finance by the second week of February.

Public Comment and Presentation (15 minutes) • Discussion (10 minutes)

Speakers: Hon. Laurie M. Earl, Co-Chair, Trial Court Budget Advisory Committee
 Mr. Shawn Landry, Executive Officer, Superior Court of Yolo County
 Mr. Zlatko Theodorovic, Co-Chair, Trial Court Budget Advisory Committee

Item J **11:40 a.m.–12:00 p.m.**

Juvenile Dependency: Court Appointed Counsel Funding Reallocation (Action Required)

The Trial Court Budget Advisory Committee recommends that the Judicial Council approves a process to reallocate the dependency court appointed counsel funds which are estimated to remain unspent in FY 2014–2015. The reallocation will be based on the funding need of courts, as calculated by the caseload funding model approved by the council in 2008.

Public Comment and Presentation (10 minutes) • Discussion (10 minutes)

Speakers: Hon. Laurie M. Earl, Co-Chair, Trial Court Budget Advisory Committee
 Mr. Don Will, Center for Families, Children & the Courts
 Mr. Zlatko Theodorovic, Co-Chair, Trial Court Budget Advisory Committee

Item K **12:00–12:30 p.m.**

California's Language Access Plan: Strategic Plan for Language Access in the California Courts (Action Required)

The Joint Working Group for California's Language Access Plan recommends that the Judicial Council adopt the *Strategic Plan for Language Access in the California Courts* (Language Access Plan). The plan is the result of an 18-month effort that included public hearings and public comment, including a 60-day period for submission of formal public comments on a draft plan. The final plan provides recommendations, guidance, and a consistent statewide approach to ensure language access to all limited English proficient (LEP) court users in California. Having completed its task, the Joint Working Group also recommends immediate formation of two groups that would report to the Judicial Council's Executive and Planning Committee: (1) a Language Access Implementation Task Force, which would develop and recommend the methods and means for implementing the Language Access Plan in all 58 counties, as well as coordinate with related advisory groups and Judicial Council staff on implementation efforts; and (2) a translation committee, which would oversee translation protocols for Judicial Council forms, written materials, and audiovisual tools.

Public Comment and Presentation (20 minutes) • Discussion (10 minutes)

Speakers: Hon. Maria P. Rivera, Cochair, Joint Working Group for California's Language Access Plan
 Hon. Manuel J. Covarrubias, Cochair, Joint Working Group for California's Language Access Plan
 Hon. Steven K. Austin, Chair, Court Interpreters Advisory Panel

Item L **12:30–12:45 p.m.**

California State Auditor's 2013 Assessment of Judicial Council Information Technology System Controls and Data Reliability (No Action Required. There are no materials for this item.)

The Judicial Council Technology Committee and Judicial Council Administrative Division will jointly update the council on the implementation of the California State Auditor's recommendations from the 2013 procurement audit (2013-302 & 2013-303).

Public Comment and Presentation (10 minutes) • Discussion (5 minutes)

Speakers: Hon. James E. Herman, Chair, Technology Committee
 Mr. Curt Soderlund, Chief Administrative Officer
 Mr. Mark Dusman, Information Technology

Break **12:45–1:00 p.m. (approx.)**

CLOSED SESSION (RULE 10.6(b))

Session 1:00–1:30 p.m.

INFORMATION ONLY ITEMS (NO ACTION REQUIRED)

INFO 1 [Government Code Section 68106: Public Notice by Courts of Closures or Reduced Clerks' Office Hours \(Gov. Code, § 68106—Report No. 29\)](#)

Government Code section 68106 directs (1) trial courts to notify the public and the Judicial Council before closing courtrooms or clerks' offices or reducing clerks' regular office hours, and (2) the council to post all such notices on its website and also relay them to the Legislature. This is the 29th report to date listing the latest court notices received by the council under this statutory requirement; since the previous report, one superior court—Butte County—has issued a new notice.

INFO 2 [Court Facilities: Trial Court Facility Modification Advisory Committee Fiscal Year 2013–2014 Annual Report](#)

The Trial Court Facility Modification Advisory Committee (TCFMAC) has completed its facility modification funding for FY 2013–2014. In compliance with the *Trial Court Facility Modifications Policy* adopted by the Judicial Council on July 27, 2012, the TCFMAC is submitting the annual report for FY 2013–2014 as Attachment A.

INFO 3 [Court Security: Report on Screening Equipment Replacement for Fiscal Year 2013–2014](#)

The Screening Equipment Replacement Program has been in operation since fiscal year 2006–2007 and provides \$2.286 million in funding from the Trial Court Trust Fund to replace outdated or malfunctioning screening equipment in the trial courts. Each year the Administrative Director approves the list of entrance screening equipment to be funded that year through this program. This report updates the council on the entrance screening equipment that was replaced in fiscal year 2013–2014 using that funding.

[Circulating Order \(CO-14-06\) Approval of the October 27–28, 2014, Judicial Council Meeting Minutes](#)

There have been no Appointment Orders since the last business meeting.

NOTE: Time is estimated. Actual start and end times may vary.